

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65672 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- MAJHAULIA District- West Champaran

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SANJAY DHANGAD @ SANJAY MAHTO @ SANJAY MAHATO, Son of  
Late Fulena Dhangad Resident of Village- Bakhariya Dhangad Tola, P.S.-  
Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-03-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Majhauriya P.S. Case No. 23 of 2021 registered for the offence  
under Sections 30(a), of the Bihar Prohibition and Excise  
Amendment Act, 2016.

Recovery is of 132 liters of country made liquor  
made from a lonely place situated in village Bakhariya Dhangad  
Toli.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that petitioner is not arrested on the spot and nothing has been recovered from the conscious possession of the petitioner. He further submits that the name of the petitioner has taken by a spy. The police after investigation has submitted charge-sheet against the petitioner and other accused persons. Petitioner is in judicial custody since 14.08.2021.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Majhauriya P.S. Case No. 23 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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